

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
SE/S Ivy Hill Road, 1,000' W of
the c/l of Beaver Dam Road * DEPUTY ZONING COMMISSIONER
(809 Ivy Hill Road) * OF BALTIMORE COUNTY
8th Election District * Case No. 91-185-A
3rd Councilmanic District
Javad Darbandi
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 36 feet in lieu of the required 50 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of January, 1991 that the Petition for Residential Variance to permit a side yard setback of 36 feet in lieu of the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this order; however, Petitioners are hereby made aware that processing at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 1/18/91
By [Signature]

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 28, 1991

Mr. Javad Darbandi
809 Ivy Hill Road
Cockeysville, Maryland 21030

RE: PETITION FOR RESIDENTIAL VARIANCE
SE/S Ivy Hill Road, 1,000' W of Beaver Dam Road
(809 Ivy Hill Road)
8th Election District - 3rd Councilmanic District
Javad Darbandi - Petitioner
Case No. 91-185-A

Dear Mr. Darbandi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

TO PERMIT A SIDE YARD SETBACK OF 36' ft
in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty):

1. Existing septic system on northwest side would make it too costly to build the addition on that side of the house.
2. Existing kitchen would be inconveniently close to master bedroom addition on northwest side of the house.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Phone

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of Nov., 1990, that the subject matter of this petition be posted on the property on or before the 5th day of Dec., 1990.

J. Robert Haines
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19__, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the ____ day of ____, 19__, at ____ o'clock, ____.

ORDER RECEIVED FOR FILING

Date 1/18/91

By [Signature]

ZONING COMMISSIONER OF BALTIMORE COUNTY

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Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

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ZONING COMMISSIONER OF BALTIMORE COUNTY

Zoning Description

Beginning at a point on the southeast side of Ivy Hill Rd. which is 20 ft. wide at the distance 1,000 ft. west of the centerline of Beaver Dam Rd. which is 50 ft. wide, thence running S 42° 15' W 200 ft. thence S 47° 45' E 300 ft. thence N 42° 15' E 200 ft. thence N 47° 45' W 300 ft. to the point of beginning. Also known as 809 Ivy Hill Rd and located in the 8th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8th

Date of Posting November 26, 1990

Posted for: Residential Variances

Petitioner: Javad Darbandi

Location of property: SE/S Ivy Hill Road, 1,000' W of c/l Beaver Dam Road

Road: (809 Ivy Hill Road)

Location of sign: In front of 809 Ivy Hill Road

Remarks:

Posted by: J. J. [Signature]

Date of return: November 30, 1990

Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

No 3911

Date

11/15/90

H9100208

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IPL)	1 X	\$35.00
080 - POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: DARBANDI

04A04#0088MICHR
BA 001138AM11-16-90
Baltimore County

Please make checks payable to:

Cashier Validation

Mr. Javad Darbandi
809 Ivy Hill Road
Cockeysville, Maryland 21030

Re: CASE NUMBER: 91-185-A

LOCATION: SE/S Ivy Hill Road, 1,000' W of Beaver Dam Road
809 Ivy Hill Rd

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before December 5, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is December 20, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

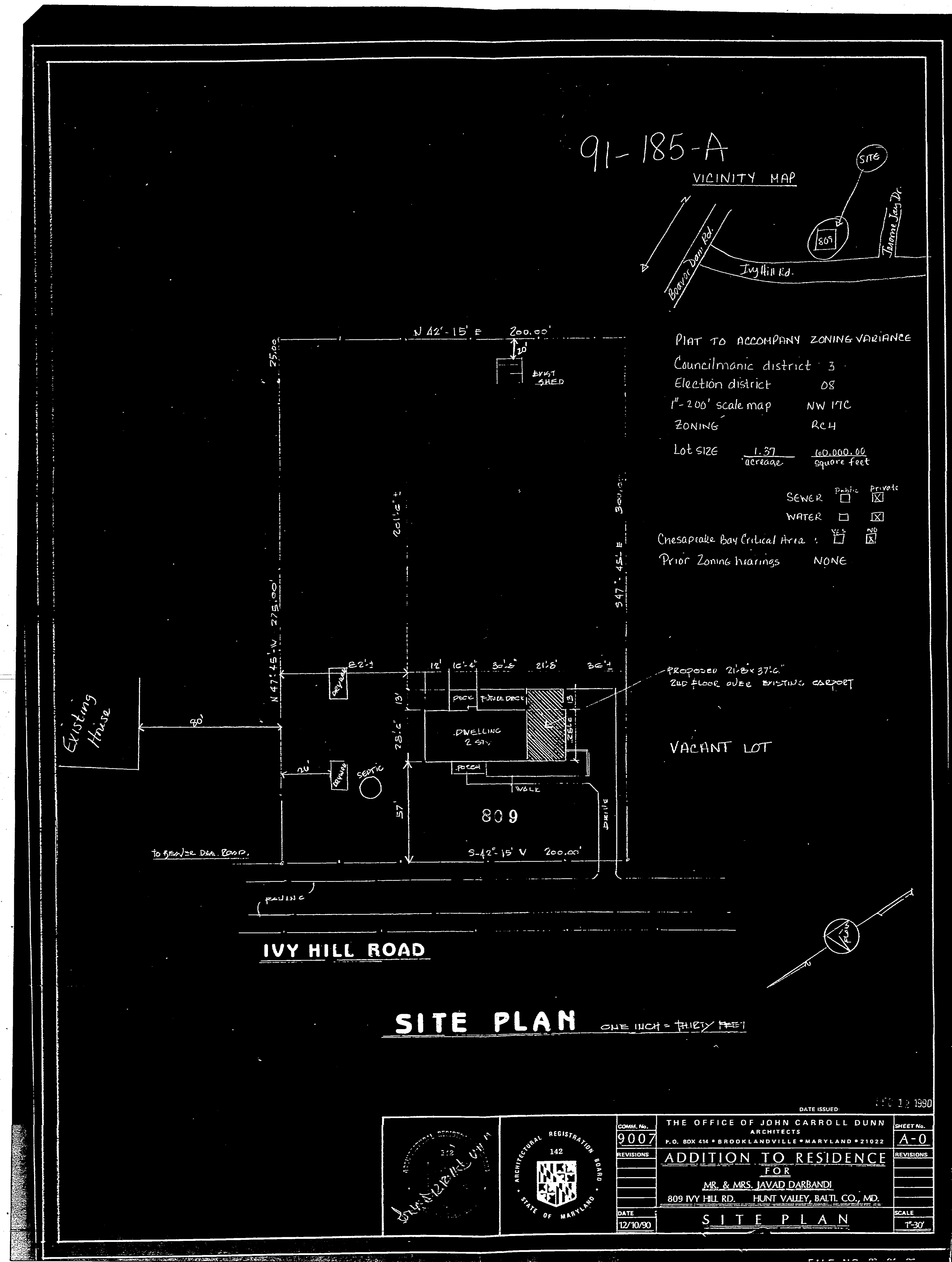
2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
(301) 887-3311

Zoning Office USE ONLY!		
reviewed by:	ITEM #:	CASE#:
<i>JH</i>	<i>208</i>	



91-185-A



<p>V-SW V-SE</p> <p>THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOCHEMISTRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210</p>	<p>1986 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council October 1986</p> <p>BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP</p>	<p>SCALE 1" = 200'</p> <p>DATE OF PHOTOGRAPHY JANUARY, 1986</p>	<p>LOCATION COCKEYSVILLE</p>	<p>SHEET N. W. 17-C</p>
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91-185-A^{#208}

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
COCKEYSVILLE

SHEET
N.W.
17-C